

REMARKS

This is intended as a full and complete response to the Office Action dated December 11, 2003, having a shortened statutory period for response set to expire on March 11, 2004. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraphs [0003], [0007], [0011], [0077] and [0079] have been amended to correct minor editorial problems. No new matter has been added by these corrections.

Claims 1-22 and 56-66 remain pending in the application after entry of this response. Claims 1, 3-8, 12, 16, 17, and 19-22 are rejected. Claims 2, 9-11, 13-15, and 18 are objected to. Claims 24 and 25 are withdrawn. Claims 24 and 25 have been cancelled without prejudice. Claims 1, 2, 16, 17, and 19 have been amended and new claims 56-67 have been added. No new matter has been added by these amendments or new claims. Allowed claims 9-11, 13, 15, 16, 14, 17, and 18 have been re-drafted incorporating original claim 1 as new claims 56-65, respectively.

Claim 16 stands rejected under 35 USC 112, first paragraph. Claim 16 has been amended to overcome this rejection. Withdrawal of the rejection is respectfully requested.

Claim 17 stands rejected under 35 USC 112, second paragraph. Claim 17 has been amended to overcome this rejection. Withdrawal of the rejection is respectfully requested.

Claims 1, 3-7, 12 and 19-21 stand rejected under 35 USC 102(b) as being clearly anticipated by *Diefendorf* (U.S. Patent No. 1,150,178). Claim 1 has been amended to incorporate allowed claim 2, except that it is now generic as to which tong is the back-up tong and which tong is the wrenching tong. Applicants believe that this minor modification does not affect the allowability of claim 1. Therefore, claim 1 is patentable over *Diefendorf*. Claims 3-7 and 12 and new claim 65 are patentable over *Diefendorf* since they depend from claim 1.

Regarding claims 19-21, *Diefendorf* does not disclose an apparatus, "wherein one of the clamping members is a back-up member and the other clamping member is

a wrenching member" as recited in claim 19 (derived from allowed claim 2). Therefore, claim 19 is patentable over *Diefendorf*. Claims 20 and 21 are patentable over *Diefendorf* since they depend from claim 19.

Regarding new claim 66, *Diefendorf* does not disclose an apparatus, comprising "a plurality of elongate mounting members disposed between each of the clamping mechanisms and the body of the tong, each mounting member having a flat face for abutting a side of a clamping mechanism and a rounded side for locating in a complimentary shaped recess in the tong body" as recited in claim 66. Therefore, claim 66 is patentable over *Diefendorf*.

Claims 8 and 22 stand rejected under 35 USC 103(a) as being unpatentable over *Diefendorf* in view of *Smith* (U.S. Patent No. 2,639,894) or *Jurgens* (U.S. Patent No. 4,497,224). As noted above, claims 1 and 19 now incorporate allowed claim 2. Therefore, claims 1 and 19 are patentable over *Diefendorf* in view of *Smith*. Claim 8 and new claim 66 are patentable over *Diefendorf* in view of *Smith* since they depend from claim 1. Claim 22 is patentable over *Diefendorf* in view of *Smith* since it depends from claim 19.

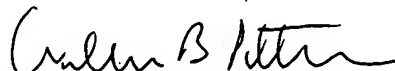
Regarding new claim 66, as noted above, *Diefendorf* does not teach, suggest, or disclose a self adjusting clamping mechanism. Further, neither *Smith* nor *Jurgens* teach, suggest, or disclose a self adjusting clamping mechanism. Therefore, claim 67 is patentable over *Diefendorf* in view of *Smith*.

Claims 2, 9-11, 13-15, and 18 are objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants believe the amendments to the base claims render the objection moot. Withdrawal of the objection is respectfully requested.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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